

Senate File 298 - Reprinted

SENATE FILE 298
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 1198)

(As Amended and Passed by the Senate March 13, 2013)

A BILL FOR

1 An Act relating to the definition of the term "sex act" in the
2 criminal code, lascivious acts with a child, and providing
3 penalties.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 702.17, Code 2013, is amended to read as
2 follows:

3 **702.17 Sex act.**

4 The term "*sex act*" or "*sexual activity*" means any sexual
5 contact between two or more persons by: penetration of the
6 penis into the vagina or anus; contact between the mouth and
7 genitalia or by contact between the genitalia of one person
8 and the genitalia or anus of another person; contact between
9 the finger or hand of one person and the genitalia or anus
10 of another person, except in the course of examination or
11 treatment by a person licensed pursuant to chapter 148, 148C,
12 151, or 152; ejaculation onto the person of another; or by use
13 of artificial sexual organs or substitutes therefor in contact
14 with the genitalia or anus.

15 Sec. 2. Section 709.8, Code 2013, is amended by adding the
16 following new subsection:

17 NEW SUBSECTION. 2A. Cause the touching of the person's
18 genitals to any part of the body of a child.

19 Sec. 3. Section 709.8, unnumbered paragraph 2, Code 2013,
20 is amended to read as follows:

21 Any person who violates a provision of this section
22 involving an act included in subsection 1 ~~or 2~~ through 2A
23 shall, upon conviction, be guilty of a class "C" felony. Any
24 person who violates a provision of this section involving an
25 act included in subsection 3 or 4 shall, upon conviction, be
26 guilty of a class "D" felony.